

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

ANGIE STACY

PLAINTIFF

V.

NO. 3:13CV00233 JTR

CAROLYN W. COLVIN,
Acting Commissioner,
Social Security Administration

DEFENDANT

ORDER

Plaintiff seeks judicial review of the administrative denial of her claim for Supplemental Security Income. *Doc. #2*. The Commissioner has filed an Unopposed Motion to Reverse and Remand, asserting that the case should be reversed and remanded for further administrative proceedings, pursuant to the fourth sentence of 42 U.S.C. § 405(g). *Doc. #14*. The Motion states Plaintiff's counsel was contacted and has no objection to the requested remand. *Id. at 4*.

In the Motion, the Commissioner seeks voluntary remand for the Administrative Law Judge to develop the record, hold a new hearing, re-evaluate the evidence, and conduct further proceedings as necessary, including: (1) determining whether the vocational expert's responses are consistent with the Dictionary of

Occupational Titles; (2) re-evaluating the opinion of the lay witness; and (3) re-evaluating Plaintiff's testimony regarding her ability to perform jobs that require reaching in front of her as well as overhead. Under the circumstances, remand is appropriate.

IT IS THEREFORE ORDERED THAT the Commissioner's Unopposed Motion to Reverse and Remand, *Doc. #14*, is GRANTED. The Commissioner's prior decision is REVERSED and this matter is REMANDED for further administrative proceedings and issuance of a new decision. This is a "sentence four" remand within the meaning of 42 U.S.C. § 405(g) and *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

DATED this 8th day of April, 2014.


UNITED STATES MAGISTRATE JUDGE